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109.0009   PATENT
e-LMO Fast Traq (WOW)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

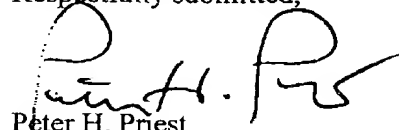|		
In re Application of	:	Sellers et al.
For	:	Systems and Methods for Automatically Obtaining Loss Mitigation Loan Workout Decisions
Serial No.	:	09/788,132
Filed	:	02/16/2001
Group	:	3628
Examiner	:	Borlinghaus, Jason M.

Durham, North Carolina
February 21, 2006

MAIL STOP APPEAL BRIEF-PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

1.   Transmitted herewith in triplicate is the APPEAL BRIEF in this application with respect to the Notice of Appeal filed on December 19, 2005.

2.   The Applicant is other than a small entity.

3.   Pursuant to 37 CFR 1.17(f) the fee for filing the Appeal Brief is $ 500.00.

    [x]   The Commissioner is hereby authorized to charge the fee of $ 500.00 to Deposit Account No. 50-1058.

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[x] The Commissioner is hereby authorized to charge any additional fees which may be required including any fee for extension of time or credit any overpayment to Deposit Account No. 50-1058. Should such an extension become due, this letter constitutes a petition requesting same. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Peter H. Priest
Reg. No. 30,210
Priest & Goldstein, PLLC
5015 Southpark Drive, Suite 230
Durham, NC 27713

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109.0009   PATENT

e-LMO Fast Traq (WOW)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sellers et al.

Serial No.:   09/788,132

Filed: February 16, 2001

For: SYSTEMS AND METHODS FOR AUTOMATICALLY OBTAINING LOSS
MITIGATION LOAN WORKOUT DECISIONS

Group: 3628   RESEND

Examiner: Borlinghaus, Jason M.

Durham, North Carolina
February 21, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION

Sirs:

I hereby certify that this correspondence is being facsimile transmitted to the United
States Patent and Trademark Office, Fax. No. 571-273-8300 on the date set forth below

     1.   Transmittal of Appeal Brief (2 pages)
     2.   Appeal Brief (21 pages)

<div align="right">

Marianna Tortorelli
Printed name of person signing

Marianna Tortorelli
Signature

Date: February 21, 2006

</div>

109.0009   PATENT
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MAIL STOP APPEAL BRIEF – PATENTS
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Alexandria, VA 22313-1450

APPELLANT'S BRIEF

Sir:

1. <u>The Real Party In Interest</u>

   The real party in interest is the assignee, Genworth Mortgage Holdings, LLC.

2. <u>Related Appeals and Interferences</u>

   None.

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3.   Status of the Claims

This is an appeal from the October 20, 2005 final rejection of claims 1-13, all of the

pending claims. Claims 1-3, 5, 6-8, 10, and 11 were rejected under 35 U.S.C. §103 based on

Dhar et al. U.S. Patent Publication No. 2002/0040339 A1 ("Dhar") in view of T.A. Myers & Co.,

Real Estate Problem Loans: Workout Strategies and Procedures, Dow Jones-Irwin 1990

("Myers") and further in view of Litton, Larry B., *The Return of Loss Mitigation*, Mortgage

Banking, Washington, DC. Vol. 57, iss. 8. May 1997 ("Litton"). Claims 4, 9, 12, and 13 were

rejected under 35 U.S.C. §103(a) based on Dhar in view of Myers, Litton, and Fletcher et al.

U.S. Patent No. 6,112,190 ("Fletcher"). Pending claims 1-13 are the subject of this appeal.

4.   Status of Amendments

The claims stand as last amended on September 6, 2005. No Amendment After-Final

has been filed.

5.   Summary of Claimed Subject Matter

Traditionally, borrowers negotiated workouts with a workout representative or other

employee of a lending institution. A workout, for example, is a plan to bring a financially

troubled client, who has an unfulfilled obligation, current on his or her unfulfilled obligation.

The process would typically require the borrower to fill out a proposal for a workout, which

would then be submitted to the workout representative for review. If more information were

required, the workout representative would have to contact the borrower. The workout

representative would then have to analyze the workout proposal to determine whether the

proposal fell within the workout guidelines established by the lending institution. Thus, the

workout process required a significant amount of time on the part of the workout representative.

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This time burden, in turn, limited the number of workouts that could be negotiated by a lending institution.

With this context in mind, we turn to one aspect of the present invention. Pursuant to this aspect, claims 1, 6, and 11 are directed to a system, method, and computer readable medium for automatically obtaining loss mitigation loan workout decisions. By way of example, claim 1 includes a network of personal computers (e.g. Fig. 2, element 12) connected into a network administered by a central server computer (e.g. Fig. 2, element 50). See, e.g., specification, p. 6, lines 13-19. Each personal computer in the network includes a network interface (e.g. Fig. 2, element 26) for transmitting borrower inputs to, and receiving outputs from, the server computer (e.g. Fig. 2, element 50). Each personal computer in the network further includes display screens (e.g. Figs. 5-7) for receiving inputs from, and providing outputs to, a financially troubled borrower, including inputs and outputs relating to a proposed loss mitigation loan workout. See, e.g., specification, p. 8, line 15 - p. 11, line 14. The central server computer having a central processing unit that runs automatic workout decision analysis software (e.g. Fig. 11, element 11). See, e.g., specification, p. 12, lines 14-19. The analysis software analyzes information relating to a preexisting loan whose terms are not being met by the financially troubled borrower and other information relating to why the troubled borrower is financially troubled to determine whether to automatically approve the proposed loss mitigation loan workout. See, e.g., specification, p. 9, line 11 – p. 12, line 5. The central server computer transmits to the financially troubled borrower, automatically over the network, automatic approval of the proposed loss mitigation loan workout if certain predefined parameters are met and, if the predefined parameters are not met, providing further instructions to the financially troubled borrower. See, e.g., specification, p. 12, lines 1 – 13.

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Turning to another aspect of the present invention, claims 4, 9, 12, and 13 are directed towards selecting a loss mitigation loan workout type among a menu of predefined loss mitigation loan workout types. Specifically, claim 13 addresses a computer readable medium wherein the selected workout type is a Repay/Forbear workout type, a Borrower Assistance Program workout type, or a Loan Modification workout type. See, e.g., specification, p. 10, line 1 – p. 11, line 7 and Fig. 5, element 100.

6.   <u>Grounds of Rejection to be Reviewed on Appeal</u>

Claims 1-3, 5, 6-8, 10, and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dhar in view of Myers and further in view of Litton. Claims 4, 9, 12, and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dhar in view of Myers, Litton, and Fletcher.

7.   <u>Argument</u>

The final rejection under 35 U.S.C. § 103 did not follow M.P.E.P. § 706.02(j) which states:

> After indicating that the rejection is under 35 U.S.C. 103, the Examiner should set forth...the difference or differences in the claim over the applied reference,...the proposed modification of the applied reference(s) necessary to arrive at the claimed subject matter, and ... an explanation why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification.

As will be illustrated below, the claims of the present invention are not obvious in view of the references relied upon by the Examiner.

The art rejections are not supported by the relied upon art. All of the rejections are based on Dhar, Myers, Litton, and Fletcher. 35 U.S.C. § 103 which governs obviousness indicates that "differences between the subject matter sought to be patented and the prior art" are to be assessed based upon "the subject matter as a whole". Analyzing the entirety of each claim, the

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rejections under 35 U.S.C. § 103 are not supported by the relied upon art as addressed further

below. Only after an analysis of the individual references has been made can it then be

considered whether it is fair to combine teachings. However, as addressed further below,

fairness requires an analysis of failure of others, the lack of recognition of the problem, and must

avoid the improper hindsight reconstruction of the present invention. Such an analysis should

consider whether the modifications are actually suggested by the references rather than assuming

they are obvious. The 35 U.S.C. § 103 rejections made here pick and choose elements from

three or more separate references, neither of which presents any motivation for making the

suggested combination. This approach constitutes impermissible hindsight and must be avoided.

As required by 35 U.S.C. § 103, claims must be considered as a whole. When so considered, the

present claims are not obvious.

A.   <u>Rejection under 35 U.S.C. § 103(a) over Dhar in view of Myers, and Litton</u>

Turning to the references relied upon, Dhar, Myers, and Litton are markedly different

from the present invention and address problems only peripherally related to the solutions

provided by the present invention. Dhar addresses a workflow engine for rendering instant credit

decisions to determine whether to approve a consumer's loan application in order to establish a

loan for the prospective borrower. Dhar, Abstract. In so doing, a lending institution receives

loan application data which activates an automatic decision analysis for "credit scoring, ratio

analysis and other credit checks to meet the selection criteria of each financial institution." Dhar,

para. [0041]. At page 5, the Official Action admits that Dhar does not disclose

- inputs from and outputs to, a financially troubled borrower, including inputs and
  outputs relating to a proposed loss mitigation workout;

- automatic loan workout decision analysis software wherein the analysis software
  analyzes information relating to a preexisting loan whose terms are not being met
  by the financially troubled borrower and other information relating to why the
  troubled borrower is financially troubled to determine whether to approve the
  proposed loss mitigation loan workout; and

- approval of the proposed loss mitigation loan workout.

Myers and Litton fail to cure the admitted deficiencies of Dhar. Myers is a lenders guide

to a uniform approach to loan workouts. Myer's provides a discussion of an analysis framework

consisting of four steps including an early diagnosis of the problem asset, information gathering

and analysis, development of a plan of action, and an implementation of the plan of action. In

the diagnosis step, Myers provides examples of what a lender should monitor as early warning

signs when managing different types of loans such as permanent loans and construction loans. In

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the information gathering and analysis step, Myers discloses gathering information relating to the

borrower, relating to legal issues, relating to project monitoring, and relating to marketing

alternatives. Myers, p. 16, line 37 – p. 17, line 2. When gathering information on the borrower,

Myers merely discloses general factors to consider such as the borrower's integrity and

motivation to see a construction project through troubled times and legal consequences. Myers,

p. 17, lines 9-18. If the lender's analysis leads to a conclusion that a workout should proceed

with the existing borrower, Myers suggests different alternatives. Myers, p. 18, lines 13-33.

Although Myers describes some benefits and disadvantages of particular loan workout

alternatives, Myers is, however, silent with respect to coupling automatic analysis with automatic

workout approval as claimed. Rather, Myers approach relies on a human "decision maker to

generate informed, confident decisions that maximize the return in problem situations." Myers,

p. 26, lines 4-7. As such, if anything, Myers teaches away from the present invention or

represents the failure of others.

Litton fails to cure the deficiencies of Myers and Dhar. Litton describes a software

system to enable loss-mitigation specialists to perform what-if loss mitigation scenarios. Litton,

p. 5, line 19. In particular, the Linton system analyzes financial information such as the financial

condition of the borrower in order to compute a comparative schedule that lists, in order, the

most economically beneficial course of action based on various what-if scenarios. Litton, p. 5,

lines 19-25. Despite the input interfaces such as interfaces to credit bureaus, social security, and

systems which maintain current property values, Litton, unlike the present invention, does not

address the automatic approval of a loss mitigation loan workout in the manner presently

claimed.

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Claims 1, 6, and 11

In stark contrast to Dhar, Myers, and Litton, these claims of the present invention provide automatic approval of a proposed loss mitigation loan workout if certain predefined parameters are met. Before the claimed invention, a loan servicer would work with a financially troubled borrower to come up with a proposed loss mitigation loan workout. The proposed loss mitigation loan workout would have to be distributed to a mortgage institution for its approval. The approval process would typically take a long time and would vary depending on the individual specialists assigned to the workout approval decision. The time would typically be spent in the distribution phase or in the analysis of the proposed loss mitigation loan workout or possibly both. The aspect of the present invention relating to automation advantageously speeds up the workout approval process by applying predefined guidelines to determine whether to automatically approve the proposed loss mitigation loan workout. Claim 1 requires a "central server computer having a central processing unit that runs automatic workout decision analysis software, wherein the analysis software analyzes <u>information relating to a preexisting loan whose terms are not being met by the financially troubled borrower</u> and <u>other information relating to why the troubled borrower is financially troubled to determine whether to automatically approve the proposed loss mitigation loan workout</u>, the central server computer <u>transmitting to the financially troubled borrower</u>, automatically over the network, <u>automatic approval</u> of the proposed loss mitigation loan workout <u>if certain predefined parameters are met and, if the predefined parameters are not met, providing further instructions to the financially troubled borrower</u>." (emphasis added). Claim 11 similarly requires the step of "approving automatically the proposed loss mitigation loan workout if the proposed loss mitigation loan workout is within said certain predefined guidelines."

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The Response to Arguments section of the Official Action at p. 12 states that it would

have been obvious to one of ordinary skill in the art at the time the invention was made that the

automation of the loss mitigation loan workout would require the incorporation of "predefined

parameters" for the rendering of a decision in the same manner that Dhar utilizes "checklists

created by the workflow designer." Applicants respectfully disagree. Dhar's loan approval

system does not include workout decision analysis software which relies on information relating

to a preexisting loan whose terms are not being met by the financially troubled borrower as

claimed. Dhar's loan approval software is directed towards processing credit applications,

rendering credit decisions, and generating loan offers to a prospective borrower without regard to

a preexisting loan of a financially troubled borrower who by virtue of the preexisting loan is

currently engaged in an established relationship with the lender. Without the established

relationship, how can Dhar's checklists to evaluate loan applications contain predefined

parameters which, if met, would determine the automatic approval of a proposed loss mitigation

loan workout in the manner as claimed? Quite simply, Dhar does not explicitly, implicitly or

inherently teach or suggest such operatioin. Thus, the claimed predefined parameters distinguish

over Dhar's loan evaluating checklists.

The Official Action does not interpret the limitations of claim 1 as a whole. Dhar, Myers,

and Litton, take separately or in combination, do not teach and do not suggest analysis software

which analyzes both "information relating to a preexisting loan whose terms are not being met

by the financially troubled borrower and other information relating to why the troubled borrower

is financially troubled to determine whether to automatically approve the proposed loss

mitigation loan workout," as claimed by claim 1. Even combining the loan generation system

taught in Dhar, the mental workout analysis framework taught in Myers for use by experienced

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service professionals, and the what-if loss mitigation scenario software used by loss mitigation specialists workout analysis in the manner suggested by the Official Action, the combination fails to meet the features of claim 1.

The Official Action further relies on In re Venner, 120 USPQ 192 for the notion that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automated the processes, since it has been held that broadly providing a mechanical or automatic means to replace manual activity that accomplishes the same result involves only routine skill in the art." (emphasis added) Applicants respectfully disagree with this analysis of In re Venner. In re Venner discusses an apparatus for molding trunk pistons which included a "time-controlled means." The "time-controlled means" actuated a fluid motor in order to withdraw a middle core section at the proper time after pouring metal into a mold. Unlike the present Official Action, the Court in Venner found all the elements in the prior art including the "time-controlled means." Considering all the elements were considered old, In re Venner did not hold that a mechanical or automatic means to replace manual activity that accomplishes the same result involves only routine skill in the art. No such rule has ever been broadly applied in the manner suggested by the present Official Action as it would preclude automation, in general, and would foreclose many inventions which automate manual activity such as the cotton gin, a vending machine, most microprocessors and other computer applications, and the like.

The Response to Arguments section of the Official Action at page 10 purportedly applies In re Venner because the Examiner believes the claims broadly automate a "known method utilizing a known and existing technology." Applicants respectfully disagree. The relied upon art does not address a central processing unit that "runs automatic workout decision analysis software, wherein the analysis software analyzes information relating to a preexisting loan whose

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terms are not being met by the financially troubled borrower and other information relating to

why the troubled borrower is financially troubled to determine whether to automatically approve

the proposed loss mitigation loan workout," as claimed in claim 1. (emphasis added) See also

claims 6 and 13. Consequently, since the claimed workout decision analysis software is not

suggested and is not taught by the relied upon art, In re Venner does not apply.

The Response to Arguments section at page 11 attempts to equate Dhar's loan decision

analysis software with the workout decision analysis software as claimed. Such a comparison, if

carefully made highlights many differences. Unlike Dhar's loan decision software which

analyzes whether to initiate a loan with a prospective borrower, the workout decision analysis

software of the claimed invention analyzes information relating to a preexisting loan whose

terms are not being met by a financially troubled borrower who already has a relationship with

the lender. Dhar's software does not consider a preexisting loan whose terms are not being met

and thus cannot base its decision to extend a proposed loss mitigation loan workout on

information relating to the preexisting loan as claimed.

Furthermore, the Official Action admits at page 5, lines 6-11, Dhar does not teach a

system comprising "automatic loan workout decision analysis software wherein the analysis

software analyzes information relating to a preexisting loan whose terms are not being met by

the financially troubled borrower and other information relating to why the troubled borrower is

financially troubled to determine whether to automatically approve the proposed loss mitigation

loan workout." The reliance on Dhar for a claim feature the Official Action admits is not taught

by Dhar is puzzling at best, and an improper application of relied upon art which should be

reversed.

Even assuming that Dhar, Myers, and Litton taught all the elements of claim 1, which

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they do not, the automatic workout approval process does not accomplish the same result as a system with manual approval by individual specialists. By automating the workout approval process, not only is turn around time for approval reduced, but the capacity to process large numbers of workout approvals is increased. Furthermore, the specialists' individual experiences which are brought to bear on a workout approval are removed from a wide variety of situations, thereby insuring consistency and equity to similarly situated financially troubled borrowers. Furthermore, where human analysis is needed, it can be focused where it is really critical.

The relied upon references fail to recognize and address the problem of automatically obtaining loss mitigation loan workout decisions in the manner advantageously addressed by the present claims. The claims are not taught, are not inherent, and are not obvious in light of the art relied upon.

B.   Rejection under 35 U.S.C. § 103(a) over Dhar in view of Myers, Litton, and Fletcher

Claims 4, 9, 12, and 13

Fletcher fails to cure the deficiencies of Dhar, Myers, and Litton as discussed above. Fletcher addresses a system for analyzing a prospective borrower's commercial credit to aid a credit officer in the risk assessment and completion of a loan package. Citing Fig. 14 of Fletcher, the Official Action relies on Fletcher as purportedly disclosing the selection of "a workout type among a menu of predefined workout types," as claimed in claims 4, 9, and 12. Applicants respectfully disagree. Fig. 14 of Fletcher shows a pull down menu for a loan analysis application including options such as Business Income, Business Mortgages, Surplus Personal Income, Debt Service Coverage, and the like. None of these options relates to a loss mitigation loan workout type as claimed and, thus, cannot access functions to automatically approve the selected loss mitigation loan workout type. Fletcher does not teach and does not suggest "a loss

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mitigation loan workout type among a menu of predefined loss mitigation loan workout types,"

as presently claimed in claims 4, 9, and 12. Additionally, claim 13, a computer-readable medium

claim, specifically recites the workout types of a "Repay/Forbear workout type, a Borrower

Assistance Program workout type, or a Loan Modification workout type." Fig. 14 of Fletcher

does not teach and does not suggest an option to access any of the loan workout types

specifically claimed in claim 13.

Furthermore, since claims 4, 9, 12 and 13 depend from and contain all the limitations of

either claims 1, 6 or 11, claims 4, 9, 12 and 13 also distinguish from the references in the same

manner as claims 1, 6, and 11.

Overall, Applicant is somewhat puzzled by the Examiner's response to the previously

submitted arguments in sections A and B of this Appeal and the apparent refusal of the Examiner

to consider both the plain language and the context of the present claims. The relied upon

references do not teach and do not render obvious workout decision analysis software which

performs the presently claimed functions.

To sum up, Dhar, Myers, and Litton do not show and do not suggest a system, method, or

computer-readable medium for automatically obtaining loss mitigation loan workout decisions as

claimed. Nothing in the cited references indicates an approach which would solve the problem

of automatically obtaining loss mitigation loan workout decisions in the manner addressed by the

present invention. The claims of the present invention are not taught, are not inherent, and are

not obvious in light of the art relied upon.

C.   The Examiner's Findings of Obviousness are
      Also Contrary to Law of the Federal Circuit

As shown above, the invention claimed is not suggested by the relied upon prior art. The

references cited by the Examiner, if anything, teach away from the present invention. It is only

in hindsight, after seeing the claimed invention, that the Examiner could combine the references as the Examiner has done. This approach is improper under the law of the Federal Circuit, which has stated that "[w]hen prior art references require selective combination by the Court to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gleaned from the invention itself." Uniroyal, Inc. v. Rudkin-Wiley Corp., 837 F.2d 1044, 1051, 5 U.S.P.Q. 2d 1434, 1438 (Fed. Cir. 1988), cert. den., 109 S. Ct. 75, 102 L.Ed. 2d 51 (1988); quoting Interconnect Planning Corp. v. Feil, 774 F.2d 1132, 1132, 227 U.S.P.Q. 543, 535 (Fed. Cir. 1985). Furthermore, "[i]t is impermissible to use the claims as a frame and the prior art references as a mosaic to piece together a facsimile of the claimed invention." Uniroyal, 837 F.2d at 1051, 5 U.S.P.Q. 2d at 1438. Similarly, "[t]he mere fact that the prior art could be so modified would not have made the modification obvious unless the prior art suggested the desirability of the modification." In re Laskowski, 871 F.2d 115, 117, 10 U.S.P.Q. 2d 1397, 1398 (Fed. Cir. 1989), quoting In re Gordon, 733 F.2d 900, 902, 221 U.S.P.Q. 1125, 1127 (Fed. Cir. 1984). No such suggestion is found here.

In addition, the Examiner does not appear to have considered "where the references diverge and teach away from the claimed invention", Akzo N.V. v. International Trade Commission, 808 F.2d 1471, 1481, 1 U.S.P.Q. 2d 1241, 1246 (Fed. Cir. 1986), cert. den., 107 S. Ct. 2490, 482 U.S. 909, 107 S.Ct. 2490 (1987); and W.L. Gore Associates, Inc., 721 F.2d 1540, 220 U.S.P.Q. 303 (Fed. Cir. 1983); nor has the Examiner read the claims as a whole, as required by statute. 35 U.S.C. §103. See also, Smithkline Diagnostics Inc. v. Helena Laboratories Corp., 859 F.2d 878, 885, 8 U.S.P.Q. 2d 1468, 1475 (Fed. Cir. 1988); and Interconnect Planning Corp., 774 F.2d at 1143, 227 U.S.P.Q. at 551.

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In In re Laskowski, 871 F.2d 115, 10 U.S.P.Q. 2d 1397, the Federal Circuit reversed an

obviousness rejection of the claims in an application for a bandsaw. The claimed bandsaw used

a pulley type wheel loosely fitted with a tire. The primary reference showed a similar bandsaw

where the band was tightly fitted. The Federal Circuit stated that the prior art did not provide a

suggestion, reason or motivation to make the modification of the reference proposed by the

Commissioner. Id. at 1398. The Court added that "there must be some logical reason apparent

from the positive, concrete evidence of record which justifies a combination of primary and

secondary references." Id. quoting In re Regel, 526 F.2d 1399, 1403, 188 U.S.P.Q. 136, 139

(C.C.P.A. 1975), citing In re Stemniski, 444 F.2d 581, 170 U.S.P.Q. 343 (C.C.P.A. 1971).
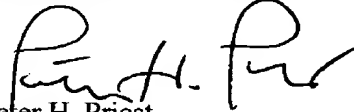
In Uniroyal Inc. v. Rudkin-Wiley Corp., 837 F.2d 1044, 5 U.S.P.Q. 2d 1434 (Fed. Cir.

1988), cert. den., 109 S. Ct. 75, 102 L.Ed. 2d 51 (1988), the Federal Circuit reversed the District

Court's finding that the claims for a patent for an air flow deflecting shield were obvious.

Without any suggestion in the art, the District Court improperly chose features from several prior

art references to recreate the claimed invention.

The Examiner's rejection suggests that the Examiner did not consider and appreciate the

claims as a whole. The claims disclose a unique combination with many features and advantages

not shown in the art. It appears that the Examiner has oversimplified the claims and then

searched the prior art for the constituent parts. Even with the claims as a guide, however, the

Examiner did not recreate the claimed invention.

8.   Conclusion

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The rejection of claims 1-13 should be reversed and the application promptly allowed.

Respectfully submitted,

Peter H. Priest
Reg. No. 30,210
Priest & Goldstein, PLLC
5015 Southpark Drive, Suite 230
Durham, NC 27713
(919) 806-1600

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CLAIMS APPENDIX
(Claims Under Appeal)

1.   A system for automatically obtaining loss mitigation loan workout decisions,

comprising:

a network of personal computers connected into a network administered by a central

server computer,

each personal computer in the network including a network interface for transmitting

borrower inputs to, and receiving outputs from, the server computer,

each personal computer in the network further including display screens for receiving

inputs from, and providing outputs to, a financially troubled borrower, including inputs and

outputs relating to a proposed loss mitigation loan workout,

the central server computer having a central processing unit that runs automatic workout

decision analysis software, wherein the analysis software analyzes information relating to a

preexisting loan whose terms are not being met by the financially troubled borrower and other

information relating to why the troubled borrower is financially troubled to determine whether to

automatically approve the proposed loss mitigation loan workout,

the central server computer transmitting to the financially troubled borrower,

automatically over the network, automatic approval of the proposed loss mitigation loan workout

if certain predefined parameters are met and, if the predefined parameters are not met, providing

further instructions to the financially troubled borrower.

2.   The system of claim 1, wherein the personal computers are connected into the

network using an Internet connection.

3.   The system of claim 1, wherein the network interface is web-based.

4.   The system of claim 1, wherein a user selects a loss mitigation loan workout type

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among a menu of predefined loss mitigation loan workout types.

5.   The system of claim 1, wherein if the user inputs fail to satisfy predetermined

guidelines, the user receives a message informing the user that the system cannot be used.

6.   A method for automatically obtaining loss mitigation loan workout decisions,

comprising:

connecting a network of personal computers connected into a network administered by a

central server computer;

providing each personal computer in the network with a network interface for

transmitting borrower inputs to, and receiving outputs from, the server computer;

displaying on each personal computer in the network screens for receiving inputs from,

and providing outputs to, a financially troubled borrower, including inputs and outputs relating to

a proposed loss mitigation loan workout;

running automatic workout decision analysis software analyzes information relating to a

preexisting loan whose terms are not being met by the financially troubled borrower and other

information relating to why the troubled borrower is financially troubled to determine whether to

automatically approve the proposed loss mitigation loan workout;

transmitting to the financially troubled borrower, automatically over the network,

automatic approval of the proposed loss mitigation loan workout if certain predefined parameters

are acceptable to the financially troubled borrower.

7.   The method of claim 6, further including:

connecting the personal computers into the network using an Internet connection.

8.   The method of claim 6, further including:

using a web-based interface for connecting the server computer into the network.

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9.   The method of claim 6, further including:

system of claim 1, wherein a user selects a loss mitigation loan workout type among a

menu of predefined loss mitigation loan workout types.

10.   The method of claim 6, further including:

transmitting a message informing the user that the system cannot be used if the user

inputs fail to satisfy predetermined guidelines.

11.   A computer-readable medium whose contents cause a computer system to

automatically obtain loss mitigation loan workout decisions by performing the steps of:

accessing first information relating to a preexisting loan whose terms are not being met

by a financially troubled borrower and second information relating to qualifications of the

financially troubled borrower;

analyzing said second information to determine whether the financially troubled borrower

qualifies for a proposed loss mitigation loan workout;

analyzing said first and second information with respect to certain predefined guidelines

for an acceptable loss mitigation loan workout; and

approving automatically the proposed loss mitigation loan workout if the proposed loss

mitigation loan workout is within said certain predefined guidelines.

12.   The computer-readable medium of claim 11, wherein the user selects a workout

type among a menu of predefined loss mitigation loan workout types.

13.   The computer-readable medium of claim 12, wherein a selected workout type is a

Repay/Forbear workout type, a Borrower Assistance Program workout type, or a Loan

Modification workout type.

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EVIDENCE APPENDIX

None.

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RELATED PROCEEDINGS APPENDIX

None.

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